**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

ROBERT R. JONES, III,	§	
	§	
Plaintiff.	§	
	§	
VS.	§	CIVIL ACTION NO. 3:20-cv-00142
	§	
ADAMANTIUM PROCESSING LLC,	§	
et al.,	§	
	§	
Defendants.	§	

MEMORANDUM AND RECOMMENDATION

This lawsuit was originally filed in April 2020, with amended complaints filed in June 2020 and January 2021. Under Federal Rule of Civil Procedure 4(m), a case must be dismissed if a defendant is not served within 90 days after the complaint is filed, unless the plaintiff can show "good cause" for the delay. More than 90 days have elapsed since the filing of the latest amended pleading, but proper service has still not been accomplished on Craig Martin ("Martin"), Edwin Lay ("Lay"), Volks Anwalt LLP ("Volks Anwalt"), and Synergy Virtual Services LLC ("Synergy").

In a Memorandum and Recommendation I issued on June 24, 2021, I ordered Plaintiff Robert R. Jones III ("Jones") to show cause in writing by July 21, 2021, why this case should not be dismissed under Rule 4(m) against Martin, Lay, Volks Anwalt, and Synergy. Jones has not done so. Instead, he recently informed the Court that he wishes to dismiss Martin, Lay, Volks Anwalt, and Synergy from this lawsuit. *See* Dkt. 38 at 1. In accordance with Jones's request, I recommend that the claims against Martin, Lay, Volks Anwalt, and Synergy be dismissed for failure to timely serve those defendants as required by the Federal Rules of Civil Procedure.

The Clerk shall provide copies of this Memorandum and Recommendation to the respective parties who have fourteen days from receipt to file written

objections under Federal Rule of Civil Procedure 72(b) and General Order 2002–13. Failure to file written objections within the time period mentioned shall bar an aggrieved party from attacking the factual findings and legal conclusions on appeal.

SIGNED this 22nd day of July 2021.

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ANDREW M. EDISON
UNITED STATES MAGISTRATE JUDGE